

53-773

RIGHT-OF-WAY EASEMENT

We, Joseph and Dorothy Citta Owner(s) of the real estate described below, and hereafter referred to as "Grantor(s)", in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, do hereby grant to the OMAHA PUBLIC POWER DISTRICT, a public corporation, its successors and assigns, ~~the right of way, easement to install, operate, maintain, repair, replace and renew its electric~~ facilities over, upon, above, along, under, in and across the following described real estate, to wit:

The North One-half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Eight (8), Township Twelve (12) North, Range Eleven (11), East of the 6th P.M., Sarpy County, Nebraska.

FILED FOR RECORD 12-8-80 AT 10:30 A.M. IN BOOK 53 OF Misc Files
PAGE 793 Carl L. Hillebrand REGISTER OF DEEDS, SARPY COUNTY, NEB. 325

CONDITIONS:

- (a) Where Grantees' facilities are constructed, Grantees shall have the right to survey, construct, reconstruct, relocate, alter, inspect, repair, replace, add to, maintain and operate, at any time, service lines, poles, wires, cables, crossarms, guys and anchors and other instrumentalities for the carrying and transmission of electric current for light, heat and power ~~including all services of the Grantees to the residence on the above described real estate, over, upon, along, above, under, in and across a strip of land sixteen feet (16') in width, being eight feet (8') on each side of and parallel to facilities as constructed by Grantees.~~
- (b) The Grantees shall have the right of ingress and egress across the Grantor's property for any purpose hereinbefore granted. Such ingress and egress shall be exercised in a reasonable manner.
- (c) Grantor, its heirs, successors or assigns, covenant that at no time will any buildings, structures, pipelines or other property, except walks or driveways be erected, constructed, used or placed on or below the surface of said land where Grantees' facilities have been constructed.
- (d) Grantees shall restore the surface of the soil excavated for any purpose hereunder to the original contour thereof as near as may be and to repair or replace the surface of any walks or driveways which may have been disturbed for any purpose hereunder as near as may be.
- (e) It is further agreed Grantor has lawful possession of said real estate, good, right and lawful authority to make such conveyance and that his/her heirs, executors, administrators, successors or assigns shall warrant and defend the same and will indemnify and hold harmless the Grantees forever against the claims of all persons whomsoever in any way asserting any right, title or interest prior to or contrary to this conveyance.

WITNESS my hand and Notarial Seal this _____ day of _____, 19_____.

ATTEST:

Joseph F Citta

ATTEST:

X Dorothy Citta
Grantor(s)

STATE OF _____
COUNTY OF _____

STATE OF _____
COUNTY OF _____

On this _____ day of _____, 19_____, before me the undersigned, a Notary Public in and for said County, personally came _____

On this 15th day of November, 1980, before me the undersigned, a Notary Public in and for said County and State, personally appeared JOE & DOROTHY CITTA

President of _____ personally to me known to be the identical person(s) who signed the foregoing instrument as grantor(s) and who acknowledged the execution thereof to be _____ voluntary act and deed for the purpose therein expressed.

personally to me known to be the identical person(s) and who acknowledged the execution thereof to be THEIR voluntary act and deed for the purpose therein expressed.

Witness my hand and Notarial Seal at _____ in said County the day and year last above written.

LEONARD E. EDWARDS
GENERAL NOTARY
MY COMMISSION EXPIRES
JAN. 10, 1981
Leonard E. Edwards
NOTARY PUBLIC

My Commission expires: _____

My Commission expires: Jan 10, 1981

Distribution Engineer AA Date 11/18/80; Land Rights and Services Edw. Date 11-18-80.

Recorded in Misc. Book No. _____ at Page No. _____ on the _____ day of _____, 19_____.
Section 8 Township 12 North, Range 11 East Salesman Edwards Engineer Edwards Est. # 88800 W.O. # 7798
1 N 8 3 W / LOUISVILLE

Sheet 10291